

MINUTES OF MEETING HELD JUNE 25, 2012

The Common Council of the City of Somerset, Kentucky met in a regular session on Monday, June 25, 2012 at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members: Donna Hunley, Jim Mitchell, Jerry Burnett, Tom Eastham, Jim Rutherford, Linda Stringer, Jerry Wheeldon, Mark Beasley, and Jerry Girdler. City Attorney Carrie Wiese, and City Clerk David Godsey. Absent: Council Members: Mike New, John Minton, and Pat Bourne.

Mr. Wheeldon moved to approve the minutes of the regular meeting held on June 11, 2012, along with the reports as mailed. Mr. Eastham seconded the motion. Upon roll call the following Council Members voted “Aye”: Mrs. Hunley, Mr. Mitchell, Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, and Mr. Girdler.

Second reading was given the following Ordinance # 12-07:

ORDINANCE NUMBER 12-07					
AN ORDINANCE ADOPTING THE CITY OF SOMERSET, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013 ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS OF THE CITY OF SOMERSET, KENTUCKY; AND AMENDING THE WATER AND WASTEWATER RATE STRUCTURE ADOPTED WITH THE 2011-2012 ANNUAL BUDGET, ALL WHICH SHALL BE IN EFFECT JULY 1, 2012; AND					
WHEREAS, AN ANNUAL BUDGET PROPOSAL AND MESSAGE HAVE BEEN PREPARED AND DELIVERED TO THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY; AND WHEREAS AN AMENDMENT TO THE WATER AND WASTEWATER RATE STRUCTURE HAS BEEN DETERMINED BY THE CITY TO BE NECESSARY; AND					
WHEREAS, THE COMMON COUNCIL HAS RECEIVED THE PROPOSED BUDGET AND MADE NECESSARY MODIFICATIONS; AND FURTHER HAS RECEIVED THE PROPOSED WATER AND WASTEWATER RATE STRUCTURE AS SET FORTH IN THE EXHIBIT ATTACHED HERETO;					
NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:					
SECTION 1. THAT THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013 IS HEREBY ADOPTED AS FOLLOWS:					
	REVENUE	EXPENDITURES			
GENERAL FUND	\$13,612,647.00	\$13,612,647.00	FUEL CENTER	\$200,000.00	\$200,000.00
CEMETERY FUND	\$40,000.00	\$40,000.00	PARKS AND REC	\$1,134,300.00	\$1,134,300.00
SANITATION SERVICE	\$2,632,000.00	\$2,632,000.00	EMS	\$4,776,700.00	\$4,776,700.00
GAS SERVICE	\$18,301,000.00	\$18,301,000.00	TOTAL ALL FUNDS	\$77,629,572.00	\$77,629,572.00
WATER SERVICE	\$27,256,000.00	\$27,256,000.00			
WASTEWATER	\$7,993,375.00	\$7,993,375.00	SECTION 2. THE CITY OF SOMERSET HEREBY AMENDS THE WATER AND WASTEWATER RATE STRUCTURE AS SET FORTH IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED IN FULL HEREIN BY REFERENCE, FOR THE PERIOD BEGINNING JULY 1, 2012, WHICH SHALL REMAIN IN EFFECT UNTIL SUCH TIME AS IT IS AMENDED OR REPEALED BY PROPER ACTION OF THE COUNCIL.		
WATER PARK	\$1,683,550.00	\$1,683,550.00			
			SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION.		
			FIRST READING <u>June 11, 2012</u>		
			SECOND READING <u>June 25, 2012</u>		
			APPROVED <u>Eddie Girdler</u>		
			EDWARD R. GIRDLER, MAYOR		
			CITY OF SOMERSET, KENTUCKY		
			ATTEST: <u>David Godsey</u>		
			DAVID GODSEY, CITY CLERK		

- Full copy of the above Ordinance is on file in the City Clerk’s Office.

Mr. Eastham moved to approve the above Ordinance # 12-07 approving the Fiscal Year 2013 Budget. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted “Aye”: Upon roll call the following Council Members voted “Aye”: Mrs. Hunley, Mr. Mitchell, Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, and Mr. Girdler.

Second reading was given the following Ordinance # 12-08:

ORDINANCE NUMBER 12-08

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY
CONSENT PROPERTY OWNED BY MERCURY DEVELOPMENT, LLC, AS DESCRIBED
IN ATTACHMENT "A", INCORPORATED IN FULL BY REFERENCE HEREIN, LOCATED
ON SOUTH HIGHWAY 27 AND HAVING A LEGAL MAILING ADDRESS OF 4065
SOUTH HIGHWAY 27, SOMERSET, KY 42501; AND

WHEREAS, AN ANNEXATION REQUEST FORM HAS BEEN SUBMITTED BY SAID
KENTUCKY CORPORATION, MERCURY DEVELOPMENT, LLC, AND ACCEPTED BY
THE CITY AS COMPLETE; AND FURTHER, THE PROPERTY OWNER HAVING
WAIVED THE 60 DAY WAITING PERIOD, BY AND THROUGH THE COMPANY'S
MANAGING MEMBER; AND

WHEREAS, THE CITY HAVING ALL DOCUMENTS AND RECORDS NEEDED TO
ALLOW THE PROPERTY TO BE ANNEXED INTO THE CITY OF SOMERSET; AND

WHEREAS, THE PROPERTY MEETS ALL REQUIREMENTS FOR ANNEXATION AS SET
FORTH IN KRS, AND ALL OTHER APPLICABLE LAW;

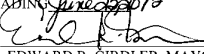
NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:


SECTION 1. THAT THE PROPERTY DESCRIBED IN ATTACHMENT "A",
ATTACHED HERETO AND INCORPORATED IN FULL BY
REFERENCE, IS HEREBY ANNEXED INTO THE CITY'S
CORPORATE LIMITS

SECTION 2. THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS
PASSAGE AND UPON PUBLICATION BY LAW.

FIRST READING: JUNE 11, 2012

SECOND READING: JUNE 25, 2012

APPROVED 
EDWARD R. GIRDLER, MAYOR
CITY OF SOMERSET, KENTUCKY

ATTEST: 
DAVID GODSEY, CITY CLERK

Mr. Mitchell moved to approve the above Ordinance # 12-08 annexing by consent the property located at 4065 S. Hwy 27. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Mitchell, Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, and Mr. Girdler.

Mr. Burnett moved to approve the following Resolution # 12-07 authorizing the Mayor and City to make application for a Homeland Security Grant. Mr. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Mitchell, Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, and Mr. Girdler.

RESOLUTION 12-07

A RESOLUTION OF THE CITY OF SOMERSET, KENTUCKY AUTHORIZING THE MAYOR AND THE CITY OF SOMERSET TO MAKE APPLICATION FOR, AND UPON APPROVAL, TO ENTER INTO AN AGREEMENT WITH THE KENTUCKY OFFICE OF HOMELAND SECURITY (KOHs) REGARDING ITEMS INCLUDING, BUT NOT LIMITED TO, AIRCRAFT TO BE USED FOR LAW ENFORCEMENT OF THE CITY, WHICH WOULD INCLUDE, BUT NOT LIMITED TO, FLIR (FORWARD LOOKING INFRA RED) CAMERA/EQUIPMENT; TO EXECUTE ANY DOCUMENTS WHICH ARE DEEMED NECESSARY BY KOHS TO FACILITATE AND ADMINISTER ANY GRANT(S)/PROGRAM(S) IN REGARDS TO THE ABOVE STATED ITEMS; AND TO ACT AS THE AUTHORIZED CORRESPONDENT FOR ANY SUCH GRANT(S)/PROGRAM(S).

WHEREAS, the City of Somerset, Kentucky desires to make an application for U.S. and/or Kentucky Homeland Security Funds for items including, but not limited to, aircraft to be used for law enforcement of the City, which would include, but may not be limited to, FLIR (Forward Looking Infra Red) Camera/Equipment, to be administered by Kentucky Office of Homeland Security;

WHEREAS, it is recognized that an application for and approval of Kentucky Office of Homeland Security funds impose certain obligations and responsibilities upon the city;

NOW, THEREFORE, be it resolved this 25th day of June 2012, by the City of Somerset, Kentucky, that the Mayor is hereby authorized to execute and furnish all required documentation, including a memorandum of agreement, as may be required by KOHS for the furtherance of the above-referenced Grant(s)/Program(s), and further to act as the authorized correspondent for such.

Done this the 25th day of June, 2012, on a Motion made by Mr. Burnett and seconded by Mr. Eastham.

Members present voting in Favor: 9
Members present voting against: _____

BY: Edward Girdler
Mayor Edward Girdler

ATTEST: Ann Girdler
City Clerk, City of Somerset

Mr. Wheeldon moved to go into executive session to discuss pending litigation. Mr. Eastham seconded the motion. Upon roll call the following Council Members voted “Aye”: Mrs. Hunley, Mr. Mitchell, Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, and Mr. Girdler.

No action taken in executive session.

Mr. Wheeldon moved to defer any payments for the Firefighters overtime incentive pay until the Administrative Law Judge made a decision and to authorize the City legal counsel to consider appealing any adverse ruling with City Council approval. Mr. Beasley seconded the motion. Upon roll call the following Council Members voted “Aye”: Mrs. Hunley, Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, and Mr. Girdler. Voting “Nay”: Mr. Mitchell. Motion Passed.

There being no further business the meeting adjourned.

APPROVED _____

MAYOR

ATTEST: _____

CLERK